

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

CHARLENE A. SMITH,

Plaintiff,

V.₃

NANCY A BERRYHILL, Deputy
Commissioner of Social Security for
Operations,

Defendant.

CASE NO. 2:17-CV-00873-DWC

**ORDER ON MOTION FOR
ATTORNEY FEES AND
EXPENSES PURSUANT TO 28
U.S.C. § 2412**

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13. *See also* Consent to Proceed before a United States Magistrate Judge, Dkt. 5. This matter is before the Court on “Plaintiff’s Motion for Attorney’s Fees and Expenses Pursuant to 28 U.S.C. § 2412.” Dkt. 18. Defendant does not object to Plaintiff’s motion. *See* Dkt. 19.

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, (“EAJA”), Plaintiff’s motion and declaration (Dkt. 18), and the relevant record, the Court orders EAJA attorney’s fees

1 of \$5,760.44 and expenses in the amount of \$5.70 (“EAJA Award”) be awarded to Plaintiff.

2 *Astrue v. Ratliff*, 560 U.S. 586, 591–97 (2010).

3 The Acting Commissioner shall contact the Department of Treasury after this Order is
4 entered to determine if the EAJA Award is subject to any offset. If the U.S. Department of the
5 Treasury verifies to the Office of General Counsel that Plaintiff does not owe a debt, the
6 government will honor Plaintiff’s assignment of EAJA Award and pay the EAJA Award directly
7 to Eitan Kassel Yanich, Plaintiff’s counsel. If there is an offset, any remainder shall be made
8 payable to Plaintiff, based on the Department of the Treasury’s Offset Program and standard
9 practices, and the check shall be mailed to Plaintiff’s counsel, Eitan Kassel Yanich, Eitan Kassel
10 Yanich, PLLC, 203 Fourth Avenue E., Suite 321, Olympia, WA 98501.

11 Dated this 11th day of July, 2018.

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14 David W. Christel
United States Magistrate Judge

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